

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

JOSEPHINE ALEXIS BAKER,

Defendant.

8:20CR330

**ORDER ON APPEARANCE FOR
SUPERVISED RELEASE VIOLATION**

The defendant appeared before the Court on September 26, 2023 regarding Amended Petition for Offender Under Supervision [128]. Karen M. Shanahan represented the defendant. John Higgins represented the government. The defendant was advised of the alleged violation(s) of supervised release, right to retain or appointment of counsel, and any right to a preliminary hearing in accordance with Federal Rule of Criminal Procedure 32.1(a)(3).

The government made an oral motion to dismiss Petition for Offender Under Supervision [118]. The government's oral motion to dismiss Petition for Offender Under Supervision [118] is granted without objection.

The defendant freely, knowingly, intelligently, and voluntarily waived the right to a preliminary hearing. Fed. R. Crim. P. 32.1(b)(1)(A). The Court finds probable cause as alleged in the petition to believe the defendant violated the terms of supervised release and the defendant should be held to answer for a final dispositional hearing. Fed. R. Crim. P. 32.1(b)(1)(C). The defendant shall appear personally for a final dispositional hearing before U.S. District Judge Brian C. Buescher in Courtroom No. 5, Roman L. Hruska U.S. Courthouse, 111 South 18th Plaza, Omaha, Nebraska, at 9:30 a.m. on November 16, 2023.

The government moved for detention based upon risk of flight and danger. The defendant submitted on the issue of detention. The court finds that the defendant failed to meet her burden to establish by clear and convincing evidence that she will not flee or pose a danger to any other person or to the community. Fed. R. Crim. P. 32.1(a)(6); 18 U.S.C. § 3143(a)(1). The government's motion for detention is granted as to risk of flight and danger and the defendant shall be detained until further order of the Court.

The defendant shall be returned to the custody of Nebraska state authorities pending the final disposition of this matter. The U.S. Marshal for the District of Nebraska is directed to place a detainer with the correctional officer having custody of the defendant.

IT IS SO ORDERED.

Dated this 26th day of September, 2023.

BY THE COURT:

s/ Michael D. Nelson
United States Magistrate Judge